
CITY OF KELOWNA

MEMORANDUM

Date: October 07, 2002
File No.: DVP02-0092
To: City Manager
From: Planning and Development Services Department
Subject:

APPLICATION NO. DVP02-0092 **OWNER:** Lust, Ben

AT: 877 Wintergreen Drive **APPLICANT:** Lust, Ben

PURPOSE: TO VARY THE MINIMUM REAR YARD SETBACK FROM 6M
REQUIRED TO 5.1M PROPOSED

EXISTING ZONE: RU2 – MEDIUM LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No.02-0092; Ben Lust, Lot 9, District Lot 135, ODYD, Plan 39866;

AND THAT variances to the following section of City of Kelowna Zoning Bylaw No. 8000 be granted:

Section 13: Specific Zone Regulations: RU2 – Medium Lot Housing

- Vary the rear yard setback from 6m required to 5.1m proposed.

2.0 SUMMARY

The applicant is seeking to vary the rear yard setback from 6m required to 5.1m proposed. The relaxation would be to accommodate the addition of a proposed one-storey sunroom at the rear (south) of the dwelling.

3.0 BACKGROUND

3.1 The Proposal

The applicant is seeking to vary the rear yard setback from 6m required to 5.1m proposed. The relaxation would be to accommodate the addition of a proposed sunroom at the rear of the house. The proposed structure would measure 6.07m by 2.44m. The proposed sunroom will have access to the rear yard through double glass-paneled doors and will be enclosed by glass paneling.

The application compares to the requirements the City of Kelowna Urban Residential Zone Bylaw No. 8000 for RU2 zones as follows:

CRITERIA	PROPOSAL	RU1 REQUIREMENTS
Lot Area (m ²)	463m ²	400m ² (min)
Lot Width (m)	30.48m	13.0m (min)
Lot Depth (m)	45.72	30.0m (min)
Site Coverage Existing (%)	21.6%	40.0%
Site Coverage Proposed(%)	23.9%	40.0%
Storeys (#)	1 Storey	2.5 Storeys
Setbacks (m)- Proposed Addition		
- Front Yard	6.76m	6.0m
- Side Yard East	1.82m ^❶	2.3m
- Side Yard West	2.25m ^❷	2.3m
- Rear Yard	5.1m ^❸	6.0m

Notes:

- ❶ Side Yard East Setback is Legal Non-Conforming.
- ❷ Side Yard West Setback is Legal Non-Conforming.
- ❸ The applicant is seeking to vary the rear yard setback from 2m required to 1m proposed.

3.2 Site Context

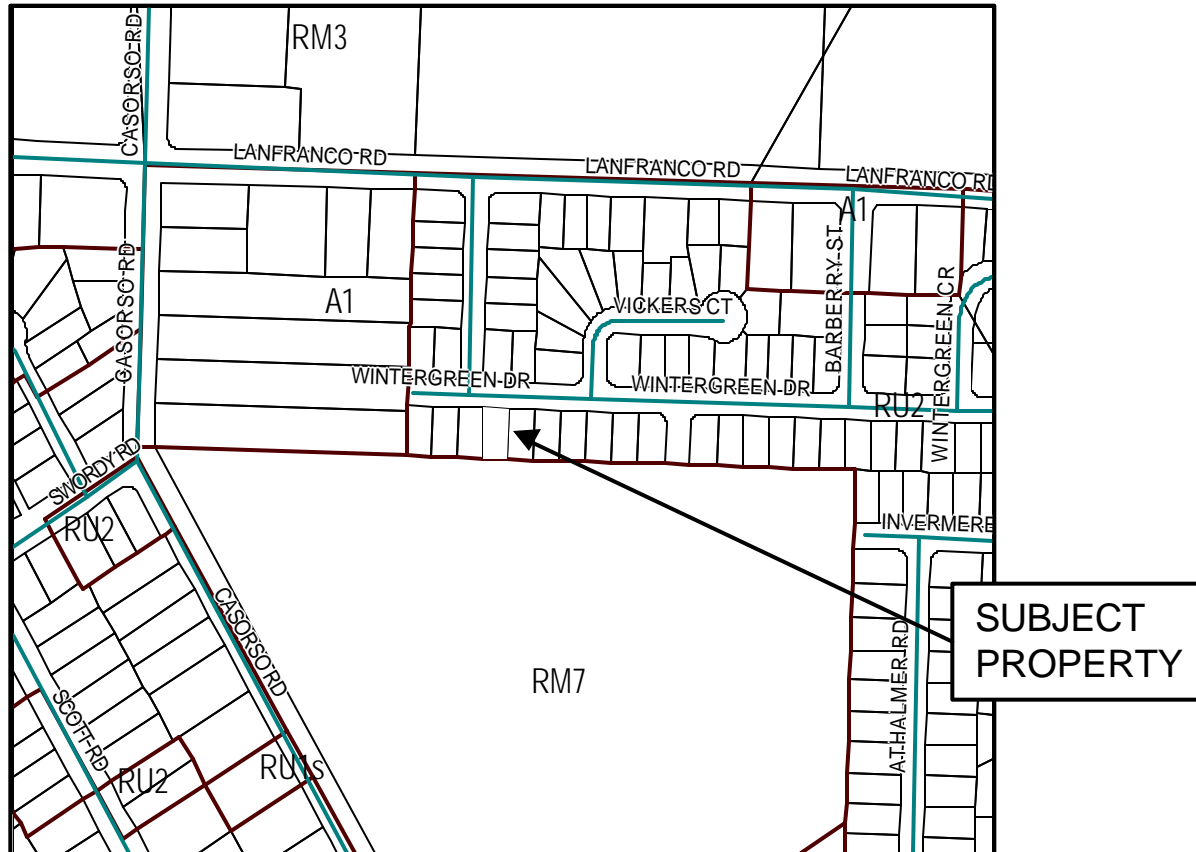
The subject property is located on the South Side of Wintergreen Drive and is one house east of the T-intersection with Silverberry Road. Lanfranco Road runs parallel to Wintergreen Drive and located 1-block to the north.

Adjacent zones and uses are:

- North - RU2 – Medium Lot Housing (Single Family Dwelling)
- East - RU2 – Medium Lot Housing (Single Family Dwelling)
- South - RM7 – Mobile Home Park
- West - RU2 – Medium Lot Housing (Single Family Dwelling)

3.3 Location Map

Subject Property: 877 Wintergreen Drive



5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments and the following comments or concerns were expressed:

5.1 Works and Utilities

No Concerns.

5.2 Inspection Services

No Concerns.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns with the proposed rear yard variance from 6m required to 5.1m proposed. Endorsement from the applicants' neighbours at 881 Wintergreen Drive and 873 Wintergreen Drive has been received. It is not felt that the addition will have any significant impact on the lot to the south that is occupied by a mobile home park.

Andrew Bruce
Current Planning Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RWS
Attach.

FACT SHEET

1. **APPLICATION NO.:** DVP02-0092
2. **APPLICATION TYPE:** Development Variance Permit
3. **OWNER:** Lust, Ben
· **ADDRESS** 877 Wintergreen Drive
· **CITY** Kelowna, BC
· **POSTAL CODE** V1W 3V5
4. **APPLICANT/CONTACT PERSON:** Lust, Ben
· **ADDRESS** 877 Wintergreen Drive
· **CITY** Kelowna, BC
· **POSTAL CODE** V1W 3V5
· **TELEPHONE/FAX NO.:**
5. **APPLICATION PROGRESS:**
Date of Application: October 02, 2002
Date Application Complete: October 02, 2002
Servicing Agreement Forwarded to Applicant: N/A
Servicing Agreement Concluded: N/A
Staff Report to APC: N/A
6. **LEGAL DESCRIPTION:** Lot 9, District Lot 135, ODYD, Plan 39866
7. **SITE LOCATION:** The subject property is located on the South Side of Wintergreen Drive and is one house east of the T-intersection with Silverberry Road. Lanfranco Road runs parallel to Wintergreen Drive and located 1-block to the north.
8. **CIVIC ADDRESS:** 877 Wintergreen Drive
9. **AREA OF SUBJECT PROPERTY:** 463m²
10. **EXISTING ZONE CATEGORY:** RU2 – Medium Lot Housing
11. **PURPOSE OF THE APPLICATION:** Vary the side yard setback from 6m required to 5.18m proposed
12. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY
13. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** N/A

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan and partial site plan
- Photographs of sunroom
- Elevations